

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: 8/26/2024 _____

Please mark one: Bill Request or Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

Yes No

1. Type of Request:

Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment

Dedication/Vacation Appropriation/Supplemental DRMC Change

Other:

2. **Title:** (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: Approve a Development Agreement between CHERRY CREEK WEST DEVELOPMENT COMPANY, LLC, a Delaware limited liability company, and its successor(s) and assign(s) ("**Developer**") and the CITY AND COUNTY OF DENVER regarding certain commitments to affordable housing, affordable commercial space, transportation improvements and public access, and workforce development.

3. **Requesting Agency:** Community Planning and Development

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Deirdre Oss, AICP	Name: Fran Penafiel
Email: Deirdre.Oss@denvergov.org	Email: Francisca.Penafiel@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

This Agreement addresses commitments between the Developer and the City of Denver concerning future development of the Cherry Creek West Property located at 2500 E First Avenue that is currently being submitted to City Council for a rezoning. The agreement anticipates that in exchange for vesting rights, the Developer will commit to provisions for affordable housing, affordable commercial lease space, monitoring and potential construction of transportation improvements adjacent to First Avenue, workforce development and a childcare needs study.

6. **City Attorney assigned to this request (if applicable): Nathan Lucero**

7. **City Council District: 5**

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):
Development Agreement

Vendor/Contractor Name (including any dba's): CHERRY CREEK WEST DEVELOPMENT COMPANY, LLC

Contract control number (legacy and new): Not assigned yet

Location: 2500 E. First Avenue

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates): 15 years from Effective Date of the Approval of the Agreement with opportunity for extension based on development phasing and timing.

Contract Amount (indicate existing amount, amended amount and new contract total): NA

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work:

The development agreement applies to the Cherry Creek West property for which rezoning is being sought in order to develop a mixed use community at the southeast corner of University and East First Avenue. The Agreement includes the High Impact Affordable Housing Plan as well as commitments to encourage economic development onsite through affordable lease space, transportation-related improvements and commitments to public access, a childcare needs study, and commitment to workforce development in exchange for vested rights in excess of the three years automatically granted through the proposed PUD zoning.

Was this contractor selected by competitive process?

If not, why not? This is a development agreement outlining requirements or development of a property with parties who own or have jurisdiction over the subject property.

Has this contractor provided these services to the City before? Yes No

Source of funds:

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):

Who are the subcontractors to this contract?

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Date Entered: _____